

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

CORNHUSKER ENERGY LEXINGTON,  
LLC, a Nevada Limited-Liability Company,

Plaintiff,

v.

PROSPECT STREET VENTURES,

Defendant.

Case No. 8:04CV586

**NOTICE TO TAKE VIDEOTAPED  
DEPOSITION**

PROSPECT STREET VENTURES,

Counterclaimant,

v.

CORNHUSKER ENERGY LEXINGTON,  
LLC, a Nevada Limited-Liability Company

Counterclaim Defendant.

COMES NOW Defendant Prospect Street Ventures (“Prospect”), pursuant to FED. R. Civ. P. 30, and hereby gives notice of its desire to take the videotaped deposition upon oral examination of Kevin Penn, commencing at 11:00 a.m. on Wednesday, April 12, 2006, before an officer authorized to administer oaths at the offices of Weil, Gotshal & Manges, LLP, 767 Fifth Avenue, New York, New York.

The deposition testimony shall be recorded by stenographic and video means and preserved by written transcript and shall be taken for the purpose of discovery, for use at trial and for such other purposes permitted by the Federal Rules of Civil Procedure or other statutes or rules of this court.

Dated this 31st day of March, 2006.

PROSPECT STREET VENTURES,  
Defendant

By: s/Suzanne M. Shehan  
Bartholomew L. McLeay #17746  
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KUTAK ROCK LLP  
The Omaha Building  
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Omaha, NE 68102  
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**CERTIFICATE OF SERVICE**

The undersigned does hereby certify that a copy of the foregoing was served via electronic mail through the Court's ECF filing system, this 31st day of March, 2006, addressed as follows:

John M. Lingelbach, Esq.  
David A. Yudelson, Esq.  
KOLEY JESSEN P.C.  
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By: s/Suzanne M. Shehan  
Suzanne M. Shehan